

HOUSE GOVERNMENT AND URBAN AFFAIRS COMMITTEE SUBSTITUTE FOR
HOUSE BILL 496

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

AN ACT

RELATING TO PUBLIC HOUSING; PROVIDING THAT A REGIONAL HOUSING
AUTHORITY AND A MUNICIPAL OR COUNTY HOUSING AUTHORITY OR AGENCY
MAY EACH EXERCISE JURISDICTION OVER COMMON AREAS, PURSUANT TO A
RESOLUTION ENACTED BY A MUNICIPALITY OR COUNTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 11-3A-5 NMSA 1978 (being Laws 1994,
Chapter 132, Section 5, as amended) is amended to read:

"11-3A-5. JURISDICTION.--A regional authority created by
the Regional Housing Law shall operate within the area of its
housing region ~~[except for that]~~. If a portion of the area
~~[that]~~ lies within the territorial boundary of a municipality
or county that has established an authority or housing agency,
~~[If by resolution the governing bodies of municipalities or~~
~~counties that have established authorities or housing agencies~~

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1 ~~consent to have the regional authority take action within the~~
2 ~~territory that would be excluded under this section, the~~
3 ~~regional authority may enlarge its jurisdiction to include the~~
4 ~~previously excluded territory. Any subsequent withdrawal of~~
5 ~~consent by resolution of a local public body or a municipal or~~
6 ~~county authority shall not prohibit the development and~~
7 ~~operation of any housing projects initiated in the city or~~
8 ~~county by the regional authority prior to the date of the~~
9 ~~resolution withdrawing consent when there is a financial~~
10 ~~assistance contract in existence for the project with the state~~
11 ~~or federal government at the date of the withdrawal of consent~~
12 ~~except upon terms that are mutually agreed upon between the~~
13 ~~regional authority, the governing bodies of the cities or~~
14 ~~counties and the state or federal government] the regional~~
15 ~~authority and the municipal or county authority or agency may~~
16 ~~each exercise its jurisdiction over the common area pursuant to~~
17 ~~a resolution enacted by a municipality or county."~~

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